IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Wrti Petition No. 1190 of 2004 (M/B)

1. Darshana Rani Sharma W/o Darshan Lal
   R/o Mohalla Kanoongoyan, P.S. Kashipur,
   District Udham Singh Nagar.
2. Makkhan Sharma S/o Sohan Lal Sharma,
   R/o Gaganpur, P.S. Kashipur,
   District Udham Singh Nagar. …….. Petitioners

Versus

State of Uttaranchal & others. …….. Respondents

Ms. Pushpa Joshi, learned counsel on behalf of the petitioners.
Mr. D.K. Sharma, learned Government Advocate for the State.

Coram: Hon. V.S. Sirpurkar, C.J.
Hon. Rajesh Tandon, J.

(Per Hon'ble the Chief Justice)

1. Heard Ms. Pushpa Joshi, learned counsel appearing on behalf of the petitioners and Mr. D.K. Sharma, learned Government Advocate on behalf of respondents No. 1 to 3.

2. In view of the fact that the petitioner No. 1 is more than 50 years and the petitioner No. 2 is also more than 50 years of age and further in view of the fact that the children of the respondent No. 4 are presently in the custody and in care of the petitioners, it is directed that if the petitioners surrender before the concerned Magistrate and apply for bail, the Magistrate shall decide their bail application on the same day.

3. With this observation, the writ petition is disposed of.

(Rajesh Tandon, J.) **(V.S. Sirpurkar, C.J.)**
04.12.2004 **04.12.2004**

G